

Q. # 1205

Extract from Interrogation of
General Hidiki TOJO
of 18 Feb. 1946

/pp. 1-2/

"Q Last week I was talking to Admiral NOMURA and asked him if he considered the final note sent by Japan to the United States a declaration of war. He said that he absolutely did not. Do you agree that it was not?

"A I think it was a final note. It was a final note breaking off diplomatic relations.

"Q You have not answered the question. Do you agree with him that it was not a declaration of war?

"A It was a note breaking off diplomatic relations but it was different from a direct declaration of war. It was a note breaking off diplomatic relations and, hence, making possible freedom of action. That point is in reference to international treaties. This is an important matter though and this next point also applies. Japan had been challenged militarily and economically by various countries, especially England and America, and her existence was threatened. She exercised the right of self-defense."

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/pp. 3-4/

"Q Was not everything connected with this note your responsibility and the responsibility of the Cabinet?

"A It was my responsibility and also that of the Foreign Minister.

"Q Didn't the cabinet know that the note was to be sent and approve it?

"A Yes. They knew about it and of course they approved it.

"Q What international treaties were you speaking of in connection with sending the note?

"A I am not just sure of the names now. At the time, of course I knew them, but I am not so sure now. Isn't there a Hague Treaty, or something, that applies to these matters?

"Q Did not the Hague Convention call for a declaration of war prior to an actual attack?

"A I think that if a nation is challenged, it is not restrained from exercising the right of self-defense.

"Q You still have not answered the question. I repeat: Did not the Hague Convention call for a declaration of war prior to an actual attack? This is a question that can be answered 'yes', or 'no', or 'I don't know'."

"A At that time I studied this matter carefully, but now it is five years later and I have not the treaty here and I don't remember too well about it, but I believe that we had freedom of action under international treaties.

"Q In connection with the attack on America and Great Britain did you or the members of the cabinet give any thought to the Kellogg-Briand Pact being violated by Japan?

"A Of course, we did.

"Q So that you and the members of your cabinet felt that it was necessary to disregard treaty provisions and make the attack on America and Great Britain?

"A No, we had regard for them, but we did not feel that we were bound because of the reasons I have mentioned. That applies to the Kellogg-Briand Pact, too.

"Q So that you and the members of the cabinet, because of the reasons given, felt that Japan was not bound by any treaty provisions in connection with the attack on the United States and Great Britain?

"A Yes."

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Ex / 205-A

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一九四六年二月十八日

東條英機ニ試スル訊問ヨリノ摘要

一一三一四頁

問、先邊私ハ野村提督ト會議シテ居リマシタ。ソ
シテ日本カラ米國ニ送ラレタ最後通牒ハ宣戰
布告ト考ヘタカト尋不マシタ。彼ハ全然左様
ニハ考ヘテカツタト云ヒマシタ。貴方ハ宣戰
布告テナカツタト云フ彼ニ同意シマスカ。

答、私ハ最後通牒テアツタト思ヒマス。外交團體
スル最後通牒テアリマシタ。

問、貴方ハ私ノ質問ニ答ヘテ居リマセン。宣戰布
告テナカツタ事ニ付テ彼ニ同意シマスカ。

答、ソレハ外交團體通告テアツタ方直接ノ宣戰布
告トハ異ヒマシタ。外交團體ノ通牒テアツタ
敵ニ行動ノ自由ヲ可能ナラシムルモノテアリ
マシタ。ソノ點ハ國際條約ニ既屬シテ居リマ
ス。コレハ重更ナキアルガ又次ノ點モ亦ソ
レニ既屬ガアリマス。日本ハ諸外國等ニ英國
ト米國トカラ軍事的經濟的ニ挑戦サレマシタ。
ソシテ生存ヲ脅カサレマシタ。日本ハ自衛權
ヲ發動シマシタ。

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問、右通牒ニ記スル凡テハ貴方ノ責任アリ又内
門ノ責任ハナカツクカ。

答、私ノ責任アリ又外相大臣ノ責任モアリマ
シタ。

問、内閣ハ右通牒方ニ送サル可モ事ヲ知ラナカツ
タデスカ又ソレヲ承認シテカツタデスカ。

答、ハイ、國様ハ知ツテ送リマシタ、ソシテ勿論
承認シマシタ。

問、通牒ヲニ送スル事ニ關シテ如何テル國際慣約
ヲ貴方ハ補ベテ居ラレマシタカ。

答、只今夫等ノ名稱ニ付テ確カアリマセン、勿
論ソノ當院ハ知ツテ居リマシタ、然シ今ハ余
リ確カアリマセン。『ベーリ』締結カ又ハ
右ノ事件ニ通牒スル何カアリマセンカ。

問、『ベーリ』締結ハ貴方或る開港スル前ニ宣
戰布告ヲ與えシマセンテシタカ。

答、著シタル一國が法既サレタ時ハ自然權ノ行動
ハ自由テアルト恩ヒマス。

問、貴方ハマダ報開ニ管ベテ居リマセン、繰り返
シテ言ヒマスガ『ベーリ』締結ハ貴様攻撃ヲ
開港スル前ニ宣戰布告ヲ與えシマセンテシタ
カ、コレハ「サウテス」トカ「ヌヒマス」
トカ「知リマセン」テ管ベラレル質問テス。

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答、ソノ當時私ハコノ件ニ付テ該電ニ研鑽シマシ
ク、處方五年後ノ今日テハ條約モ此處ニ持ツ
テ居リマセんシ又ソレニ付イテ充分記憶シテ
居リマセん、然シ國際條約ノ下ニハ行動ノ自
由ガアツタト思ヒマス。

問、米國並ニ英國ニ對ハル攻撃ニ關シテ貴方意ハ
國員ハ「ケロッグ・ブリアン」稱統ガ日本ニ
依ツテ犯サレタトイフ事ヲ考ヘマセんテシタ
カ。

答、勿論吾々ハ考ヘマシタ。

問、ソレテハ貴方ト國員ハ條約條項ヲ無問シ米國
並ニ英國ヲ攻撃スル必要ガアツタト思ツタノ
デスカ。

答、イリエ、條約條項ハ吾屬シマシタが既ニ申シ
説ベマシタ通りノ理由テ吾々ハ拘束ヲ受ケテ
ハ居ナイト考ヘマシタ。コレハ「ケロッグ・
ブリアン」稱統ニモ適用シマス。

問、ソレテハ貴方並ニ國員ハ右ニ説ベラレタル理
由ニ依リ日本ハ米國及び英國ニ對スル攻撃ニ
關シテ如何ナモ條約條項ニモ拘束サレナカツ
タト考ヘマシタカ。

答、サウデス。

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